



## **MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Matt Jesick, Case Manager  
Joel Lawson, Associate Director Development Review

**DATE:** January 7, 2014

**SUBJECT:** BZA Case 18703 - expedited request pursuant to DCMR 11 § 3118 for special exception relief under § 223 to construct an addition to an existing single family dwelling at 704 19<sup>th</sup> Street, NE

### **I. RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223:

- § 403, Lot Occupancy (60% permitted, 69% proposed); and
- § 404, Rear Yard (20' required, 18' proposed).

### **II. LOCATION AND SITE DESCRIPTION**

Address	704 19 <sup>th</sup> Street, NE
Legal Description	Square 5413, Lot 48
Ward	6
Lot Characteristics	Narrow rowhouse lot
Zoning	R-4 – attached single family dwellings.
Existing Development	Single family attached dwelling, permitted in this zone.
Historic District	None
Adjacent Properties	Rowhouses north and south; church and parking lot west; school east

### **III. PROJECT DESCRIPTION IN BRIEF**

Applicant	Thomas Maloney, property owner
Proposal	Extend second floor above existing first floor footprint
Relief Sought	§223 - Additions to a One-Family Dwellings or Flats



#### IV. ZONING REQUIREMENTS

<b>R-4 Zone</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
Height (ft.) § 400	40 ft. max.; 3 stories max	2 stories	No change	Conforming
Lot Width (ft.) § 401	18 ft. min.	12 ft.	No change	Existing nonconforming
Lot Area (sq.ft.) § 401	1,800 sq.ft. min.	696 sq.ft.	No change	Existing nonconforming
Floor Area Ratio § 401	None prescribed			None required
<b>Lot Occupancy § 403</b>	<b>60% max.</b>	<b>69%</b>	<b>69% on second floor</b>	<b>Required</b>
<b>Rear Yard (ft.) § 404</b>	<b>20 ft. min.</b>	<b>18 ft.</b>	<b>18 ft. on second floor</b>	<b>Required</b>
Side Yard (ft.) § 405	None required	None	No change	Conforming

#### V. ANALYSIS

##### **223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES**

**223.1** *An addition to a one-family dwelling or flat, in those Residence districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.*

Single family dwellings are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of §§ 403 and 404.

**223.2** *The addition or accessory structure shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

*(a) The light and air available to neighboring properties shall not be unduly affected;*

There would be minimal impacts to adjacent properties. The house to the north has no windows facing the subject site, and no additional shadow would be cast on the property to the south. The extent of the proposed addition would be similar to additions made previously to adjacent houses.

*(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

Privacy would not be compromised. No windows are proposed on the southern or northern walls of the addition. The only windows would face onto the rear yard. A door would face onto the new deck on the subject site, which is bordered by the lot line wall of the adjacent property.

- (c) *The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and*

The addition would not be visible from the street.

- (d) *In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.*

The applicant submitted plans, photographs, and elevation and section drawings to represent the extent of the addition.

- 223.3** *The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.*

The application proposes a lot occupancy of 69%

- 223.4** *The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.*

The Office of Planning recommends no special treatment of the design, lighting, materials or other features.

- 223.5** *This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.*

The proposed use is a single family dwelling, permitted in this zone.

## **VI. COMMUNITY COMMENTS**

As of this writing OP has received no comments on the application from the ANC or the community.